



Order Filed on April 15, 2019
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

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USBANK CUST-PC 4 FIRSTTRUSTBANK

In Re:

MARGARITA PAGAN

Case No.: 16-13401/ABA

Chapter 13


Hearing Date: April 9, 2019 at 10:00 a.m.

Judge: Andrew B. Altenburg, Jr.

ORDER RESOLVING MOTION FOR RELIEF FROM AUTOMATIC STAY

The relief set forth on the following page, numbered two (2) through three (3) is hereby **ORDERED**.

DATED: April 15, 2019


Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

THIS MATTER having come before the Court upon the motion of USBank Cust-PC 4 Firsttrustbank ("Creditor") requesting the entry of an Order for relief from the automatic stay to proceed with a foreclosure proceeding against Margarita Pagan (the "Debtor"), and the following appearances having been entered, Linda S. Fossi, Esquire, Gary C. Zeitz, L.L.C. attorneys for Creditor and Seymour Wasserstrum, Esquire, Law Offices of Seymour Wasserstrum, attorneys for the Debtor; and

IT APPEARING that Creditor is the holder of certain tax lien(s) (the "Tax Lien") secured by the Debtor's real estate located at 108 S Franklin St, Buena, New Jersey, Block 147, Lot 8 (the "Property"); and

IT FURTHER APPEARING that Creditor filed a motion (the "Motion") for relief from the automatic stay to foreclose the Tax Lien; and

IT FURTHER APPEARING that the Debtor now seeks to pay the amounts owed to Creditor through her Chapter 13 plan; and the parties having agreed to the form and entry of this Order,

IT IS ORDERED as follows:

1. Creditor shall file a proof of claim by April 30, 2019, which claim shall be deemed a timely filed allowed claim pursuant to the bankruptcy code and rules. Creditor's claim shall be paid by the Debtor over the remaining months of the Debtor's Chapter 13 Plan.
2. The Debtor shall pay all post-petition taxes owing to Buena on account of the Property starting with the 2nd quarter of 2019 and every quarter thereafter.
3. In the event the Debtor fails to make any of the post-petition payments required

to be made to Buena on account of the Property within thirty (30) days of the due date, then Creditor shall be entitled to relief from the automatic stay pursuant to 11 U.S.C. §362(d). Said relief shall be granted upon application of Creditor, with fourteen (14) days notice to the Debtor and Debtor's counsel, setting forth the default in question.

4. Creditor is granted an administrative claim, which will be paid through the Debtor's Chapter 13 plan, in the amount of \$500.00 on account of the legal fees and costs incurred in the prosecution of its relief from stay motion.